

142-62-2387

GF# 88-7610 JP/eh

M079741

RECEIPT AND RELEASE OF
MECHANIC'S AND MATERIALMAN'S LIEN

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HARRIS

§

That BAY TEMPERATURE CONTROL, INC., a Texas corporation ("Bay Temp"), for Seven Thousand Forty three and 64/100 Dollars (\$7,043.64) (the "Stipulated Sum") cash and other good and valuable consideration paid by FERMENTA PLANT PROTECTION, INC., a Delaware corporation ("Fermenta"), to Bay Temp, as the legal and equitable owner and holder of the indebtedness described in that certain Statutory Affidavit for Fixing Lien dated July 28, 1987 (the "Lien Affidavit"), covering and describing that certain tract or parcel of real property (the "Subject Property") described in Exhibit A attached hereto and made a part hereof for all purposes, filed for record in the Official Public Records of Real Property of Harris County, Texas, under Clerk's File No. L-251164, and recorded under Film Code Reference No. 187-35-0711, does hereby:

(i) acknowledge and confess the receipt and sufficiency of the Stipulated Sum, and

(ii) RELEASE, RELINQUISH and FOREVER DISCHARGE all liens (hereinafter called the "Subject Liens", which term shall include, without limitation, the liens evidenced and created by the Lien Affidavit, and any and all other liens afforded contractors, subcontractors, artisans, laborers, mechanics, materialmen, suppliers of specially fabricated materials, equipment lessors, architects and engineers (under the constitution and laws of the State of Texas), which are or may be owned, claimed or held by, through or under Bay Temp or to which Bay Temp or any person, firm or corporation claiming by, through or under Bay Temp is or could be entitled and encumbering or relating to the Subject Property and any improvement or fixture thereon.

In connection with this Receipt and Release, Bay Temp warrants and represents that:

1. Bay Temp is the legal and equitable owner and holder of the lien evidenced and created by the Lien Affidavit.
2. Bay Temp has not assigned, transferred, mortgaged, pledged or hypothecated any interest in favor of any third party with respect to the Subject Liens.
3. Bay Temp has the unrestricted right, power and authority to receipt for the Stipulated Sum, and to fully and effectively release the Subject Liens free and clear of claims of any person, firm or corporation.

Bay Temp further agrees to protect, indemnify and save harmless Fermenta from and against each and every claim, demand or cause of action asserted or to be asserted by any person.

Return to:
Lawyer's Office
Houston, Texas

9548326



142-62-2388

firm or corporation upon or with respect to the Subject Liens
or the Lien Affidavit.

EXECUTED this 6th day of March, 1989.

BAY TEMPERATURE CONTROL, INC.

By: Jim R. Nicholas
Name: Jim R. Nicholas
Title: President

THE STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on this 6th
day of March, 1989, by Jim R. Nicholas
President of BAY TEMPERATURE CONTROL, INC., a Texas
corporation, on behalf of said corporation.

Type Name of Notary:
Ed Joyce Co.
My Commission Expires:
7/18/89

Ed Joyce Co.
Notary Public in and for
the State of Texas

TRACT I:

An 8.3331-acre tract or parcel of land out of that certain 109.828-acre Tract No. 1 of land conveyed by Wah Chang Smelting and Refining Company of America, Inc. to Port of Houston Authority of Harris County, Texas by deed dated November 2, 1973 and recorded in Film Code No. 170-25-0111 through 170-25-0117 of the Deed Records of Harris County, Texas, said tracts of land being in the Richard & Robert Vince League, Abstract 76, Harris County, Texas, and said 8.3331-acre tract or parcel of land being more particularly described by metes and bounds, as follows:

COMMENCING at a concrete monument in the northwest corner of the aforesaid 109.828-acre Tract No. 1, which corner lies in the south right-of-way line of the North Shore Railroad owned by Missouri Pacific Railroad Company, and which corner is also the northeast corner of a tract of land owned by SDS Biotech Corporation;

THENCE, S. 0° 35' 00" E. along and with the west boundary line of the said 109.828-acre Tract No. 1, which line is also the east property line of the aforesaid SDS Biotech Corporation tract of land, a distance of 938.77 feet to a railroad spike for the POINT OF BEGINNING of the tract of land herein described;

THENCE, S. 0° 05' 00" E. continuing along and with the said west boundary line of the said 109.828-acre Tract No. 1, which line is also the east property line of the aforesaid SDS Biotech Corporation tract of land, a distance of 1,439.75 feet to a railroad spike in the west boundary line of a 50-foot wide right-of-way and easement granted to Houston Lighting & Power Company, for corner;

THENCE, N. 18° 43' 50" E. along and with the west boundary line of the aforesaid 50-foot wide right-of-way and easement of Houston Lighting & Power Company, a distance of 1,362.15 feet to a wooden stake, for corner;

THENCE, S. 89° 33' 00" W. a distance of 497.33 feet to the POINT OF BEGINNING of the tract of parcel of land described herein, containing 8.3331 acres, more or less, of land.

Said 8.3331-acre tract or parcel of land described hereinbefore contains a 90-foot wide drainage right-of-way and easement along and contiguous with the west boundary line of said 8.3331-acre tract, which right-of-way and easement were conveyed by J. H. Hirst, Trustee to Harris County Flood Control District by deed dated November 5, 1968 and recorded in Volume 3566, Page 454 of the Deed Records of Harris County, Texas.

TRACT II:

121.1328 acres of land in the Richard and Robert Vince Survey, Abstract No. 76, Harris County, Texas, being out of a 145.903 acre tract of land being the same property described as fifth tract in a deed dated August 2, 1945, to J. P. Hedding, Trustee, and recorded in Volume 1395, Page 533 of the Deed Records of Harris County, Texas, and being described as follows:

BEGINNING at a point in the northeast line of a 60 foot right-of-way for Haden Road at the southeast corner of that certain 2.7087 acre tract conveyed to Jones Chemicals, Inc. by deed dated July 23, 1975 by Diamond Shamrock Corporation, recorded in the Deed Records of Harris County, Texas, under County Clerk's File No. E497928 and Film Code 124-12-0763;

THENCE North 0° 05' East with the east line of said 2.7087 acre tract 544.74 feet to a point for the southwest corner of that certain 1.7217 acre tract conveyed to Jones Chemicals, Inc. by deed dated February 23, 1979, by Diamond Shamrock Corporation, recorded in the Deed Records of Harris County, Texas, under County Clerk's File No. G010887 and Film Code 123-84-0386;

THENCE South 89° 55' East with the south line of said 1.7217 acre tract 150.00 feet to a point for its southeast corner;

THENCE North 0° 05' East with the east line of said 1.7217 acre tract 500.00 feet to a point for its northeast corner in the north line of said 145.903 acre tract and the south right-of-way line of the Houston North Shore Railway;

THENCE South 89° 55' East with the north line of said 145.903 acre tract and the south right-of-way line of the Houston North Shore Railway 2225.97 feet to a point for the northwest corner of that certain 1.009 acre tract conveyed to Harris County Flood Control District by Diamond Alkali Company;

THENCE Southerly with the west line of said 1.009 acre tract as follows:

South 0° 18' West 100.51 feet,

South 29° 42' East 273.04 feet, and

South 17° 04' East 122.85 feet to a point

for the south corner of said 1.009 acre tract in the east line of said 145.903 acre tract;

THENCE South 0° 02' West with the east line of said 145.903 acre tract 2691.08 feet to a point in the north line of that certain tract of land conveyed by H. L. Nicholson, Administrator of the Estate of R. E. Brooks, deceased, to Harris County Houston Ship Channel Navigation District by deed dated August 6, 1941, and recorded in Volume 1219, Page 626, of the Deed Records of Harris County, Texas;

THENCE North 76° 43' West with the north line of said tract 148.95 feet to a point for corner in the southwest line of said 145.903 acre tract;

THENCE North 50° 21' West with the southwest line of said 145.903 acre tract 746.82 feet to a point for the southeast corner of 60 foot right-of-way for Haden Road;

THENCE North 0° 02' East with east line of said 60 foot right-of-way 77.89 feet to a point for its northeast corner;

THENCE North 50° 21' West with the northeast line of said 60 foot right-of-way 2377.63 feet to the PLACE OF BEGINNING, containing 121.1328 acres of land, more or less.

142-62-2391

TRACT III:

85.1532 acres of land in the Richard and Robert Vince Survey, Abstract No. 76, Harris County, Texas, being out of a 99.811 acre tract of land being the same property described as second tract in a deed dated August 2, 1945, to J. F. Hedding, Trustee, and recorded in Volume 1395, Page 533 of the Deed Records of Harris County, Texas, and being described as follows:

BEGINNING at a point on the left bank of Greens Bayou for the south corner of that certain 3.6559 acre tract conveyed by deed dated October 12, 1978 to Pennwalt Corporation by Diamond Shamrock Corporation, recorded in the Deed Records of Harris County, Texas under Clerk's File No. P828274, Film Code 110-92-1613;

THENCE North 57° 00' East with the southeast line of said 3.6559 acre tract at 93.39 feet passing a 5/8" iron rod, at 412.70 feet passing a 5/8" iron rod set for the east corner of said 3.6559 acre tract and the south corner of Pennwalt Chemical Corporation's 1.6899 acre tract of land described in an instrument recorded in Volume 6347, Page 414, of the Deed Records of Harris County, Texas, and continuing along the same bearing and the southeast line of the said 1.6899 acre tract of land a total distance of 1212.70 feet to a point for corner;

THENCE South 33° 00' East 20.00 feet to a point for corner;

THENCE North 57° 00' East with the southeast line of said 1.6899 acre tract 825.01 feet to a point for corner;

THENCE South 86° 27' East with the south line of said 1.6899 acre tract 203.43 feet to a point for corner in the northeast corner of said 99.811 acre tract and the southwest line of Harris County Houston Ship Channel Navigation District Railroad right-of-way;

THENCE South 50° 21' East with the northeast line of said 99.811 acre tract and the southwest line of said railroad right-of-way 1498.17 feet to a concrete monument set for the east corner of said 99.811 acre tract;

THENCE South 57° 00' West with the southeast line of said 99.811 acre tract 2569.80 feet to a concrete monument set for the south corner of said 99.811 acre tract in the left bank of Greens Bayou;

THENCE in a Northwesterly direction with the left bank of Greens Bayou and its meanders as follows:

North 45° 28' West 273.30 feet,
North 38° 43' West 283.90 feet,
North 28° 18' West 290.40 feet,
North 25° 30' West 273.00 feet,
North 37° 11' West 400.00 feet, and
North 51° 33' West 66.23 feet to the PLACE OF

BEGINNING, containing 85.1532 acres of land.

142-62-2392

TRACT III:

85.1532 acres of land in the Richard and Robert Vince Survey, Abstract No. 76, Harris County, Texas, being out of a 99.811 acre tract of land being the same property described as second tract in a deed dated August 2, 1945, to J. F. Hedding, Trustee, and recorded in Volume 1395, Page 533 of the Deed Records of Harris County, Texas, and being described as follows:

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THENCE North 57° 00' East with the southeast line of said 3.6559 acre tract at 93.39 feet passing a 5/8" iron rod, at 412.70 feet passing a 5/8" iron rod set for the east corner of said 3.6559 acre tract and the south corner of Pennwalt Chemical Corporation's 1.6899 acre tract of land described in an instrument recorded in Volume 6347, Page 414, of the Deed Records of Harris County, Texas, and continuing along the same bearing and the southeast line of the said 1.6899 acre tract of land a total distance of 1212.70 feet to a point for corner;

THENCE South 33° 00' East 20.00 feet to a point for corner;

THENCE North 57° 00' East with the southeast line of said 1.6899 acre tract 825.01 feet to a point for corner;

THENCE South 86° 27' East with the south line of said 1.6899 acre tract 203.43 feet to a point for corner in the northeast corner of said 99.811 acre tract and the southwest line of Harris County Houston Ship Channel Navigation District Railroad right-of-way;

THENCE South 50° 21' East with the northeast line of said 99.811 acre tract and the southwest line of said railroad right-of-way 1499.17 feet to a concrete monument set for the east corner of said 99.811 acre tract;

THENCE South 57° 00' West with the southeast line of said 99.811 acre tract 2569.80 feet to a concrete monument set for the south corner of said 99.811 acre tract in the left bank of Greens Bayou;

THENCE in a Northwesterly direction with the left bank of Greens Bayou and its meanders as follows:

North 45° 28' West 273.30 feet,

North 38° 43' West 283.90 feet,

North 28° 18' West 290.40 feet,

North 25° 30' West 273.00 feet,

North 37° 11' West 400.00 feet, and

North 51° 33' West 66.23 feet to the PLACE OF

BEGINNING, containing 85.1532 acres of land.

142-62-2393

TRACT II:

121.1328 acres of land in the Richard and Robert Vince Survey, Abstract No. 76, Harris County, Texas, being out of a 145.903 acre tract of land being the same property described as fifth tract in a deed dated August 2, 1945, to J. P. Hedding, Trustee, and recorded in Volume 1395, Page 533 of the Deed Records of Harris County, Texas, and being described as follows:

BEGINNING at a point in the northeast line of a 60 foot right-of-way for Haden Road, at the southeast corner of that certain 2.7087 acre tract conveyed to Jones Chemicals, Inc. by deed dated July 23, 1975 by Diamond Shamrock Corporation, recorded in the Deed Records of Harris County, Texas, under County Clerk's File No. E497928 and Film Code 124-12-0763;

THENCE North 0° 05' East with the east line of said 2.7087 acre tract 548.74 feet to a point for the southwest corner of that certain 1.7217 acre tract conveyed to Jones Chemicals, Inc. by deed dated February 23, 1979, by Diamond Shamrock Corporation, recorded in the Deed Records of Harris County, Texas, under County Clerk's File No. G010887 and Film Code 123-84-0346;

THENCE South 89° 55' East with the south line of said 1.7217 acre tract 150.00 feet to a point for its southeast corner;

THENCE North 0° 05' East with the east line of said 1.7217 acre tract 500.00 feet to a point for its northeast corner in the north line of said 145.903 acre tract and the south right-of-way line of the Houston North Shore Railway;

THENCE South 89° 55' East with the north line of said 145.903 acre tract and the south right-of-way line of the Houston North Shore Railway 2275.97 feet to a point for the northwest corner of that certain 1.009 acre tract conveyed to Harris County Flood Control District by Diamond Alkali Company;

THENCE Southerly with the west line of said 1.009 acre tract as follows:

South 0° 18' West 100.51 feet,
South 29° 42' East 273.04 feet, and
South 17° 04' East 122.85 feet to a point
for the south corner of said 1.009 acre tract in the east line of said 145.903 acre tract;

THENCE South 0° 02' West with the east line of said 145.903 acre tract 2691.08 feet to a point in the north line of that certain tract of land conveyed by H. L. Nicholson, Administrator of the Estate of R. E. Brooks, deceased, to Harris County Houston Ship Channel Navigation District by deed dated August 6, 1941, and recorded in Volume 1219, Page 626, of the Deed Records of Harris County, Texas;

THENCE North 76° 43' West with the north line of said tract 148.95 feet to a point for corner in the southwest line of said 145.903 acre tract;

THENCE North 50° 21' West with the southwest line of said 145.903 acre tract 746.82 feet to a point for the southeast corner of 60 foot right-of-way for Haden Road;

THENCE North 0° 02' East with east line of said 60 foot right-of-way 77.89 feet to a point for its northeast corner;

THENCE North 50° 21' West with the northeast line of said 60 foot right-of-way 2377.63 feet to the PLACE OF BEGINNING, containing 121.1328 acres of land, more or less.

EXHIBIT "A"

142-62-2394

TRACT I:

An 8.3331-acre tract or parcel of land out of that certain 109.828-acre Tract No. 1 of land conveyed by Wah Chang Smelting and Refining Company of America, Inc. to Port of Houston Authority of Harris County, Texas by deed dated November 2, 1973 and recorded in Film Code No. 170-25-0111 through 170-25-0117 of the Deed Records of Harris County, Texas, said tracts of land being in the Richard & Robert Vince League, Abstract 76, Harris County, Texas, and said 8.3331-acre tract or parcel of land being more particularly described by metes and bounds, as follows:

COMMENCING at a concrete monument in the northwest corner of the aforesaid 109.828-acre Tract No. 1, which corner lies in the south right-of-way line of the North Shore Railroad owned by Missouri Pacific Railroad Company, and which corner is also the northeast corner of a tract of land owned by SDS Biotech Corporation;

THENCE, S. 0° 35' 00" E. along and with the west boundary line of the said 109.828-acre Tract No. 1, which line is also the east property line of the aforesaid SDS Biotech Corporation tract of land, a distance of 998.77 feet to a railroad spike for the POINT OF BEGINNING of the tract of land herein described;

THENCE, S. 0° 05' 00" E. continuing along and with the said west boundary line of the said 109.828-acre Tract No. 1, which line is also the east property line of the aforesaid SDS Biotech Corporation tract of land, a distance of 1,439.75 feet to a railroad spike in the west boundary line of a 50-foot wide right-of-way and easement granted to Houston Lighting & Power Company, for corner;

THENCE, N. 18° 43' 30" E. along and with the west boundary line of the aforesaid 50-foot wide right-of-way and easement of Houston Lighting & Power Company, a distance of 1,342.15 feet to a wooden stake, for corner;

THENCE, S. 89° 55' 00" W. a distance of 497.33 feet to the POINT OF BEGINNING of the tract of parcel of land described herein, containing 8.3331 acres, more or less, of land.

Said 8.3331-acre tract or parcel of land described hereinbefore contains a 90-foot wide drainage right-of-way and easement along and contiguous with the west boundary line of said 8.3331-acre tract, which right-of-way and easement were conveyed by J. H. Hirst, Trustee to Harris County Flood Control District by deed dated November 3, 1964 and recorded in Volume 3566, Page 454 of the Deed Records of Harris County, Texas.

FILED

899 MAR 14 AM 10:23

RECORDERS MEMORANDUM
AT THE TIME OF RECORDATION THIS INSTRUMENT WAS FOUND TO BE INADEQUATE FOR THE BEST PHOTOGRAPHIC REPRODUCTION BECAUSE OF ILLEGIBILITY, CARBON OR PHOTO COPY, DISCOLORED PAPER, ETC.

THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was FILED in the Number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records of Real Property of Harris County Texas on

MAR 14 1989



Paula Reddeman
COUNTY CLERK
HARRIS COUNTY, TEXAS